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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Booth et al.

EXAMINER: Morris, Patricia L

SERIAL NO : 10/021,633

ART UNIT : 1625

FILED : December 12, 2001

PAPER NO :

FOR : **AMIDE INHIBITORS OF MICROSOMAL TRIGLYCERIDE
TRANSFER PROTEIN**

RESPONSE TO RESTRICTION REQUIREMENT
DATED JANUARY 22, 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is submitted in response to the Office Action dated October 2, 2001 that was issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the January 22, 2003 Restriction Requirement was due February 22, 2003. A Petition for a One-Month Extension of Time and fee authorization is enclosed herewith so that a response to the January 22, 2003 Restriction Requirement is now due on or before March 22, 2003. Accordingly, this response is timely filed.

In response to the Restriction Requirement, Applicants elect without traverse, to prosecute The Group I claims (claims 1-20) in the instant application. Applicants maintain their right to file a separate application(s) to the non-elected claims. Applicants recognize that any non-elected claims that depend from elected claims shall be entitled to consideration upon allowance of any elected claims.

Further, in response to the species election requirement, Applicants elect the species disclosed in Example 81, N-Biphenyl-2-ylmethyl-2-ethoxy-N-pyridine-3-yl-benzamide (claims 1,2,4,6,7,12,19 and 20). However, upon allowance of a generic claim,

Applicants will be entitled to consideration of claims to additional species that are written in dependent form or otherwise include all limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

No other fee is deemed necessary in connection with the filing of this Response. If, however, the Commissioner determines that any fee is due, authorization is hereby given to charge any such fee to Deposit Account No. 23-0455. The Commissioner is hereby authorized to charge any credit/overpayment to Deposit Account No. 23-0455.

Respectfully submitted,

Date: 3/14/03

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